



# CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (213) 590-6711

August 15, 1980

Mr. Stanley Scott, National Director  
Western Governmental Research Association  
109 Moses Hall  
University of California  
Berkeley, California 94720

Dear Mr. Scott:

The Public Safety Committee of the Long Beach City Council has been considering a proposal for the establishment of a fully autonomous Police Commission, as recommended by a citizens committee on police/community relations.

As a part of its study of this proposal, the Public Safety Committee requested our office for more definitive information concerning police commissions which have been created in other cities: how they were legally established and organized; how they function; and how effective they have been as the governing bodies for police departments.

Accordingly, we conducted a survey of the one hundred sixty-one (161) cities in the United States having a population in excess of 100,000. We received replies from one hundred twenty-nine (129) cities, a most gratifying response of eighty percent (80%). The findings of our survey, as well as our views on the merits of the proposal, are contained in a report which has been submitted to our Council members. I am enclosing a copy of that report for your information and possible interest.

We are also enclosing two complementary memoranda which were supplemental to the basic report: one is from our Chief of Police Charles B. Ussery; and the second is a summary of responses from three additional cities which reported late to our survey.

Very truly yours,

*Robert C. Creighton*

ROBERT C. CREIGHTON  
Assistant City Manager

RCC:jb  
Enclosures

81 02030

INSTITUTE OF GOVERNMENTAL  
STUDIES LIBRARY

AUG - 5 2024

UNIVERSITY OF CALIFORNIA

# MEMORANDUM



date August 6, 1980  
to Mr. John E. Dever, City Manager  
from Charles B. Ussery, Chief of Police  
subject DEVELOPMENT OF PLANS AND ACTIONS TAKEN TO STRENGTHEN THE INTERNAL AFFAIRS AND COMMUNITY/POLICE RELATIONS OPERATIONS WITHIN THE LONG BEACH POLICE DEPARTMENT

The Police Department staff has made a careful review of the findings and recommendations of the Citizens' Advisory Committee on Police/Community Relations and has concluded that the Internal Affairs element within the Police Department should undergo certain changes which would serve to strengthen that Departmental element and improve the quality of the unique services which are expected from, and are to be provided by, this Departmental unit to the citizens of Long Beach. Further, such needed changes are consistent with, and will serve to implement, the Advisory Committee's recommendations in this area.

Certain policy and procedural changes in the Police Department Internal Affairs operation have already been activated, while other changes are being planned and are near completion. The Internal Affairs unit, which is presently staffed by one Lieutenant, one Sergeant and one Stenographer, now adheres to a policy of accepting complaints of abuse of police authority or unprofessional conduct from any citizen and does conduct the necessary investigations, whether the citizen be a victim or a witness.

In the past, the Internal Affairs Section has been somewhat limited in its engagement in certain activities which are common to Internal Affairs Sections in other police departments across the Nation. The activity role of the Section shall be expanded and sufficient personnel shall be assigned to the Section with particular attention given to providing an atmosphere and feeling of sensitivity, sympathy and understanding.

The Section shall be removed from the Public Safety Building, which houses the Police Department and relocated in the City Hall or a business building near the Civic Center. It is expected that this relocation will serve to remove the anxiety felt by some citizens who are reluctant and fearful about coming into the Police building to complain of Police Department employee abuse of authority or other misconduct. Removal of the Internal Affairs Section from the Police building should increase confidence in the integrity of the process as well as provide a certain amount of anonymity to Department employees and citizens.

A procedure shall be developed and implemented whereby complainants are given a more comprehensive explanation of the disposition of their complaints. Such information shall be transmitted to the complainant after the conclusion of the Internal Affairs investigation. Complainants shall also be provided with the nature of disciplinary or other action taken by the Department as a result of an Internal Affairs investigation arising from a complaint.



Digitized by the Internet Archive  
in 2024 with funding from  
State of California and California State Library

<https://archive.org/details/C123308273>

TO: Mr. John E. Dever, City Manager  
FROM: Charles B. Ussery, Chief of Police

SUBJECT: DEVELOPMENT OF PLANS AND ACTIONS .....  
INTERNAL AFFAIRS AND COMMUNITY/POLICE  
RELATIONS .....

August 6, 1980  
Page 2

Further changes that are planned for the Internal Affairs Section shall include, but are not limited to:

1. Integrity testing of Police Department employees. Personnel assigned to the Internal Affairs Section shall plan and carry out specifically designed activities that test the integrity of Department employees.
2. Personnel assigned to the Internal Affairs Section shall intermittently patrol and monitor the on-site performance of Police Department employees to determine whether Departmental performance standard are being adhered to.
3. The Section shall develop and implement an auditing process to determine the extent to which Department employees are deviating from established policies and procedures in the performance of their duties.
4. Using data which is compiled from its operational activities, the Section shall prepare and submit to the Chief of Police periodic reports describing the status of the Department in terms of the volume, type and frequency of citizen complaints of abuse of police authority or unprofessional conduct. Personnel counseling and training, and other necessary actions, shall be implemented to correct deficiencies in Department employee/citizen relationships that are discovered by this process.

Recognizing that the Advisory Committee's findings revealed an apparent need to strengthen the Community Relations effort in the Department, and that police/citizen relations have a distinct bearing on complaints that are registered against Department employees and the Internal Affairs investigation process, plans are being made to redirect the operational emphasis of the Office of Police Community Relations in order to ensure that continuous direct lines of communication are established and maintained with those segments of citizens who feel alienated from the Department.

We recognize that many of the concerns and complaints of these citizens focus upon mannerisms and attitudes displayed by employees of the Department in the performance of their duties. Such concerns and complaints would not necessarily warrant an Internal Affairs investigation but do require corrective action. By establishing open and continuous direct lines of communication with the above mentioned segments of citizens, using the Police Community Relations Section as the initial Department contact and information receiving point, we will be able to develop and implement specialized blocks of training and counseling, and apply this training and counseling on an individualized or group basis to correct the aforementioned deficiencies.



TO:  
FROM:  
SUBJECT:

Mr. John E. Dever, City Manager  
Charles B. Ussery, Chief of Police  
  
DEVELOPMENT OF PLANS AND ACTIONS .....  
INTERNAL AFFAIRS AND COMMUNITY/POLICE  
RELATIONS .....

August 6, 1980  
Page 3

The Department will very shortly reactivate a course of training, referred to as Advanced Officers' Training or AOTC. This training is directed to regular non-recruit, non-probationary police officers. We will build a block of training in this course that will deal specifically with cultural and ethnic police relations. By doing so we hope to refresh and reaffirm in the minds of the officers of this Department the requirement to remain sensitive to, and understanding of, the special law enforcement service needs of various cultural and ethnic segments within our City.

The Police Department shall work cooperatively with the Civil Service Department to ensure that every effort is put forth to recruit into the Police Department a fair representation of the broadest spectrum of citizens within the general Long Beach area.

The Police Community Relations Section has already begun to participate actively in the formation of a Youth Council which is presently being developed to defuse youth gang related criminal activity. While we recognize that the Department has an in-escapable enforcement and apprehension role in criminal activity, the thrust of the Police Community Relations Section efforts in this endeavor shall be to make positive non-enforcement contacts with youth who are associated with or involved in gang related activity. We feel that such contacts can be made by working with, and through, non-law enforcement citizens who are committed to working with youth groups to eliminate gang related criminal activity problems. As a part of the thrust to build positive relationships with youth groups, the Police Community Relations Section shall solicit youth group members to participate in the Ride-Along Program. Such participation will bring the regular patrol officer and the various youth group members together in a non-enforcement atmosphere where mutual understanding and respect might be enhanced.

The Advisory Committee Report is perceived as the product of a great amount of effort having been put forth by conscientious and dedicated citizens. Most of the recommendations that were made, if carried out, would certainly contribute significantly to the improvement in Community/Police relations. Such an improvement can generally be construed to represent the provision of a more satisfactory level and quality of service.

While there are some recommendations that would be extremely difficult and costly to implement immediately, most of the recommendations can be implemented partially or completely over a period of time.

The Long Beach Police Department, as it is presently administered, both internally and externally, has the will and capability to effectively accomplish the implementation of most of the Committee's recommendations.



TO:  
FROM:

Mr. John E. Dever, City Manager  
Charles B. Ussery, Chief of Police

August 6, 1980  
Page 4

SUBJECT:

DEVELOPMENT OF PLANS AND ACTIONS ....  
INTERNAL AFFAIRS AND COMMUNITY/POLICE  
RELATIONS ....

As Chief of Police I cannot discern the need for the creation of a Police Commission as recommended by the Advisory Committee. However, I can clearly see the need to work strenuously toward implementing many of the excellent recommendations of the Committee.

The changes that such implementation will activate will result in lessening the feeling of apprehension among the citizenry and assure the citizens and the governing officers of this City that the Police Department is operating in a manner which is consistent with good order and discipline and is accountable to the community.

*Charles B. Ussery*  
CHARLES B. USSERY  
Chief of Police

/mhm



# MEMORANDUM

date August 12, 1980  
to Councilmember Ernie Kell, Chairman, and Members of the Public Safety Committee  
from John E. Dever, City Manager  
subject Supplemental Data on Police Commission Survey



You have before you as a separate item on today's committee agenda a report which summarizes our findings from responses to a Police Commission survey.

Subsequent to tabulation and printing of the report, we received replies from three additional cities which bring the total to one hundred twenty-nine (129) out of one hundred sixty-one (161) cities, a remarkable eighty percent (80%) response to our questionnaire.

The additional responses were from the following cities:

(1) Miami, Florida

No police commission; and has not considered establishment of such a body.

(2) Albuquerque, New Mexico

No police commission; however, Albuquerque has established a citizens police advisory board. It consists of eleven members, appointed by the Mayor with the advice and consent of the City Council. The advisory board serves for a three year term. It conducts studies and makes recommendations to the Chief of Police regarding police policies, practices and procedures. The board is also advisory to the Mayor and City Council in terms of police/community relations, policies and legislation.

(3) Berkeley, California

Police Review Commission (PRC) established in 1973, pursuant to the vote of the people at an election. The nine member body is advisory; each City Council member appoints one commissioner, with a conscious effort made to achieve balanced representation. The members are paid \$3 per hour, up to a maximum of \$200 per month (\$2,400 annually). The PRC holds regular meetings.

The Police Chief is appointed by the City Manager without councilmanic confirmation. The PRC's role, operational and budgetary, is advisory only. Decisions of the PRC can be over-ruled by the City Council. The Police Chief reports administratively to the City Manager; and an agent of the

Supplemental Data on Police Commission Survey  
August 12, 1980  
Page 2

City Manager negotiates police labor agreements. The PRC investigates citizen complaints. The PRC's budget for fiscal year 1980-81 totals \$86,904.

We are also transmitting herewith a copy of the transmittal letter from the City Manager of Berkeley, since it contains supplemental information on the actual functioning of the Police Review Commission in Berkeley. It is apparent from the Berkeley City Manager's letter that the Police Review Commission could be characterized as a Police Review Board rather than the type of organization contemplated by our citizens committee on police/community relations.

The recommendation of our office is contained in a companion report. It is, therefore, recommended that you receive and file this supplemental communication.

JOHN E. DEVER, CITY MANAGER

BY *Robert C. Creighton*

ROBERT C. CREIGHTON  
Assistant City Manager

JED:RCC:jb  
Attachment

# City of Berkeley

CITY MANAGER'S OFFICE  
2180 MILVIA STREET  
BERKELEY, CALIFORNIA 94704



(415) 644-6580

August 1, 1980

Mr. Robert C. Creighton  
Assistant City Manager  
City of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802

Dear Mr. Creighton:

Enclosed is the completed questionnaire in regard to our Police Review Commission (PRC). Also enclosed are copies of the PRC Ordinance and Complaint Procedures.

As further requested in your letter of June 12, 1980, relevant information is provided on the role of the PRC in the following areas:

The Handling of Strikes or Other Job Actions

The PRC serves no function in the handling of strikes or other job actions.

The Handling of Police/Community Relations Problems

The PRC takes, investigates and holds public evidentiary hearings in regard to complaints. The PRC also reviews Police Department policy, practices and training as it relates to police/community issues and makes recommendations to the City Manager and the City Council.

Relations with the Chief Executive

The PRC can make recommendations to the City Manager in regard to all matters relating to police policy and practice. The Commission also sends its findings to the City Manager on complainants of alleged police misconduct heard by the Commission's Boards of Inquiry.

Relations with the Minority Community

The PRC maintains a good working relation with all segments of the community, including the minority community. The Commission has played a leadership role in helping to ensure affirmative action within the Police Department.

Mr. Robert C. Creighton  
August 1, 1980  
Page 2

Relations with Employee Unions or Associations

The PRC meets and confers with employee associations on PRC rules which affect the working conditions of Police Department employees. A member of the Berkeley Police Association attends all PRC meetings.

Relations with the Press

The PRC responds to inquiries of the press regarding the business and functions of the PRC as is appropriate.

Community acceptance of the PRC process has been more than satisfactory. In 1977, a federally-funded survey was conducted by the Oakland Police Department concerning citizen satisfaction with differing complaint mechanisms in several cities. The mechanisms compared included Internal Affairs Bureaus, civilian investigations within police departments, ombudsmen, and Police Review Commissions. The survey results indicated that citizens had a much higher degree of confidence in and satisfaction with the PRC process than with other processes studied. The statistics indicated that this confidence and satisfaction transcended the final result of the complaint hearing. While the study revealed a high correlation between satisfaction and complaints being sustained, the PRC survey results indicated a satisfaction which went beyond the ultimate result.

For example, while only 40% of PRC complainants surveyed had complaints that were sustained, 80% thought the investigation was fair and 86% thought the investigation was thorough.

In comparison, survey-wide, only 25% thought the investigations were fair and only 29% thought the investigations were thorough.

The PRC had also had a measurable impact on the kind of complaints filed. For example, when the PRC began to take complaints (October, 1973 - September, 1975), 50% or (57 of 113) of all complaints received involved allegations of excessive force. Once its Boards of Inquiries were functioning and misconduct involving excessive force resulted in discipline, the number of excessive force complaints decreased drastically. While the overall number of filed complaints remained relatively constant, the percentage of complaints involving claims of excessive force was 20% - the first increase since the PRC Complaint Procedures had been in operation. However, you will note, this figure is still well below the figures prior to the commencement of the Board of Inquiry process.

Similarly, there has been a marked decrease in the number of discountesy complaints filed. Between October, 1973 and September, 1975, over 40% of all complaints involved allegations of discountesy. By 1979, this percentage had decreased to 14%.

As is indicated on the questionnaire, the PRC Commissioners are paid \$3.00 per hour and a maximum of \$200.00 a month. However, in addition to the nine

Mr. Robert C. Creighton

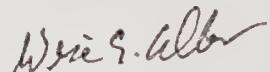
August 1, 1980

Page 3

Commissioners appointed by the City Council, the PRC is presently staffed by one Investigator, one Senior Stenographer Clerk, one half-time Assistant Administrative Analyst, and one half-time Typist Clerk. The budget (which includes allocation for the salary expense of the Commissioners) for the PRC for FY 1980-81 is \$86,904.

I hope this information will be helpful to you.

Sincerely,



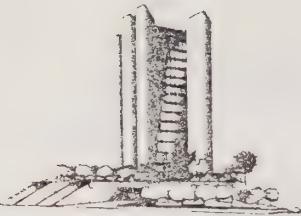
WISE E. ALLEN, Ph.D.

City Manager

Enclosures

cc: PRC Investigator





# CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

• (213) 590-6711

August 12, 1980

100-10030  
INSTITUTE OF GOVERNMENTAL  
STUDIES LIBRARY

Councilmember Ernie Kell, Chairman  
Public Safety Committee of the City Council  
Long Beach, California

AUG 22 1980

UNIVERSITY OF CALIFORNIA

SUBJECT: Report on Proposal for Establishment of  
a Police Commission

As you know, the Citizens' Advisory Committee on Police/Community Relations submitted its report to City Council on April 1, 1980. The City Council referred the report to its Public Safety Committee which, at a subsequent date, held an initial meeting to receive testimony from members of the Citizens' Advisory Committee, and the general public.

You are of course aware that the primary recommendation of the citizens' advisory report is a proposal to establish a fully autonomous police commission, an executive/legislative type body which, being independent of the City Council, would exercise exclusive control over the Police Department.

Councilmember Edd Tuttle, the former Chairman of the Public Safety Committee, requested our office to provide committee members with more definitive information on police commissions which have been created in other cities: how they were legally established and organized; how they function; and how effective they have been as the governing bodies for police departments. Consequently, further consideration of the Report on Police/Community Relations was held in abeyance until such time as this supplemental data could be assembled.

Accordingly, a questionnaire was prepared, soliciting relevant information on Police Commissions; it was sent to cities throughout the country having a population in excess of 100,000. We have attached a list of the cities who responded to the questionnaire (Exhibit A). Copies of the questionnaire and the accompanying transmittal letter are also attached for your information (Exhibits B and C).

Please be advised that one hundred twenty-six (126) cities responded to the questionnaire, of a total of one hundred sixty-one (161) cities queried. This was a most gratifying response of approximately

seventy-eight percent (78%). Attached to this report is a tabulation of the nineteen cities which report having established police commissions, together with a listing of their answers to the questions asked. A summary of findings from the survey is contained in the following section of this report.

PRIMARY FINDINGS OF THE QUESTIONNAIRE

- (1) The Police Commission, as a governing body for police departments, does not appear to play a predominant role in modern police administration. Only nineteen (19) of the one hundred twenty-six (126) cities responding to our questionnaire, or approximately fifteen percent (15%) report having a police commission as a part of their organizational structure. Police Commissions are mandated by State law in eight (8) of the nineteen (19) cities; ten (10) of the nineteen (19) cities appear to have established such bodies on a purely voluntary basis; and one commission was established by a vote of the people.
- (2) Of the one hundred seven (107) cities which do not have police commissions, only six (6) cities indicated ever having considered possible establishment of a police commission.
- (3) Ten commissions are autonomous; six are semi-autonomous; and three are advisory.
- (4) There is no particular pattern as to when the nineteen police commissions were established: ten of the nineteen were established prior to World War II; five in the 1950's and 1960's; and four in the past ten years. Consequently, it would be fair to state that there appears to have been no marked trend during recent years to establish such bodies.
- (5) The membership of police commissions ranges from three to nine, with five as the most popular number (eleven out of nineteen cities).
- (6) Police Commissions are generally appointed by the Mayor (twelve cities) and/or the Mayor and City Council (two cities) of the nineteen cities. Two cities specified the City Council without indicating whether the Mayor had a part in the appointment process.
- (7) Of the fourteen cities in which the Mayor has the sole or shared authority for making appointments to the police commission, seven require councilmanic confirmation; and seven do not.

- (8) The cities having police commissions make a conscious effort to achieve balanced representation on the police commission (seventeen out of nineteen cities).
- (9) Compensation for police commissioners is fairly evenly balanced (ten cities--yes; nine cities--no). Where compensation is given, it is modest: \$3,000 annually being the highest reported figure; with \$1,200 annually, reported by two cities; and \$2,400 annually by three cities.
- (10) All police commissions hold regularly scheduled meetings.
- (11) There is no predominant pattern for the appointment of the police chief in the nineteen cities which have police commissions: eight are appointed by the Mayor; seven by the Police Commission; and four by other means.
- (12) Confirmation of the Police Chief by the City Council is more generally not required; only seven of the nineteen cities having police commissions provide for such councilmanic confirmation.
- (13) The City Councils in the cities having police commissions generally exercise outright control of the police department budget (sixteen out of nineteen cities); authority is shared by City Council and Police Commission in one city.
- (14) The Police Commissions in the cities having police commissions generally exercise sole or partial control over police department operations (sixteen out of nineteen cities).
- (15) Decisions of the police commission cannot be overruled by the City Council in a majority of the nineteen cities having police commissions (fourteen of the nineteen cities).
- (16) There is no clear cut pattern as to whom the police chief reports in the nineteen cities having police commissions. Seven police chiefs report to the Police Commission; four to the Mayor; three to some combination of the Police Commission/Mayor and City Council; and four to either the City Manager, the electorate or a Director of Public Safety.
- (17) There is no clear cut pattern as to which office negotiates agreements with police officers' unions or associations in the nineteen cities having police commissions. The highest answer (eight out of nineteen cities) was the agent of the Mayor. Police Commission involvement, sole or partial, was mentioned by only three of the nineteen cities.

- (18) The police commission acts as an appeals board in most of the cities having police commissions (sixteen out of nineteen cities).

SUMMARY OF EDITORIAL COMMENTS FROM RESPONDENT CITIES

The respondents were encouraged to provide us with an objective evaluation on the effectiveness of police commissions in their respective cities, whether such appraisal be positive, negative or qualified. These editorial type comments were received primarily, though not exclusively, from cities which utilize a police commission as a form of organizational structure. The responses have been separated into three basic categories: favorable (six cities); qualified (four cities); and unfavorable (nine cities).

The comments from officials in other cities are exact quotes, except in a few instances where the text has been altered slightly in the interest of confidentiality. These minor revisions do not in any way alter the substance or meaning of the responses. It was done to protect the identity of officials from respondent cities who otherwise might not have felt as free to provide us with candid evaluations, if such reactions were to be identified by city in a public report.

FAVORABLE RESPONSES

- The commission has been very successful in achieving the goals set out by the Charter. It allows for a civilian review of the policies and administration of the Police Department and gives the community a sounding board if they have any problems regarding the administration of the Police Department.
- Basically effective--somewhat reactionary--tends to administer rather than set policy.
- Effective in hiring, promoting and discipline which impinge on police/community relations. It is a very effective board working with the Chief and the Director of Public Safety.
- It is our opinion that our Police Commission has effectively carried out its functions as described in the Charter.
- Generally, our experience has been positive. We feel our Department has benefited from the guidance and experience of these members.
- The Board of Police Commission has been effective in assuming overall responsibility for representing the citizens. It has been accessible to citizen complaints. The only problem is

that on occasion, individual commissioners may get a "little heady" and want to involve themselves in areas which should not be within their province.

- Briefly, I can report that in the past five years the Commission's role has significantly been increasing in scope of its authority and responsibilities. This has resulted in increased agency visibility in the community and credibility has grown. I think by and large there is community-wide support for the work of the Commission. For community groups and individuals, the Commission is looked upon as a vehicle they can use to express their concerns. On the whole, I believe the work of the Commission would be viewed as positive.

QUALIFIED COMMENTS

- Commission members generally believe that their part-time status seriously hampers their capacity to manage and control the Department. Consultants will be hired during fiscal year 1980-81 to assist the Commission with various policy issues.
- Our Police Board has served our city well over the years. It is not the primary citizen complaint agency, but maintains an office of citizen complaints, answerable to the board. From a standpoint of administrative efficiency, the lack of governmental control does pose some problems. The system is not the best possible, and I would not particularly recommend it for another city.
- A blue ribbon task force appointed by the Mayor studied the situation (i.e., police/citizen confrontations) and explored a police commission. Due to much opposition, the alternative solution was offered (i.e., establishment of an internal investigative office reporting to the City Manager).
- Police Commissions' effectiveness vary, depending upon the Mayoral appointments. The present Mayor has made a strong attempt to appoint a responsive commission and one that will not condone corruption within the department and one that gives the Chief full support and upholds his professionalism in running the department.
- On the positive side, this body introduces a wholly civilian point of view into the decision-making process and on occasions introduces issues which the administration has failed to consider in arriving at a decision. In the final analysis this body ensures civilian control and provides a mechanism

for the review of citizens' complaints against those departments as well as providing the means to exact discipline.

The civilian members are appointed from outside the City administration. This combined with a sunshine law severely limits the administration's ability to communicate and discuss positions with members of the board. The "sunshine" law severely handicaps the ability of the board to act swiftly when dealing with matters of a sensitive nature.

UNFAVORABLE COMMENTS

- If this happens (i.e., establishment of a fully autonomous Police Commission), why do you need a City Council?
- Our experience with a police commission has been less than satisfactory because policy making and budgetary responsibilities have not been clearly defined.
- Unlike most cities, our municipal government has virtually no control over the functions of the police department or its budget. The powers over the police department are vested in a police board of commissioners. This Police Board establishes its own budget which is not subject to revision by our legislative body. The Board has no responsibility for raising the money to finance its operation. We must finance, but we don't control the police operations. I find this arrangement completely unsatisfactory, particularly from a fiscal standpoint. I find officials are much more responsible in spending funds if they also have to raise the money to pay the bills.
- A police commission would diminish accountability and responsiveness to the elected chief executive officer.
- I would be quite concerned about any proposal that would give control of the police department to other than the City Manager, who is the City's chief executive of the police department. The police function is an inter-dependent one and must be coordinated with other city activities, and must be under executive control.
- I do not believe that it (i.e., establishment of a police commission) is the proper way to administer a police agency. There should be a cohesion to municipal government and a separate police agency departs from that cohesion.
- Control is so directed that no one can demand accountability for the action of police. The commission has not been effective.

- There is no available evidence that I know of that supports the suggestion that police service under an independent commission would be more responsive to citizens' complaints and public needs than it is when under the control of the city executive and the policies of the City Council. Such an arrangement could work to make the police even less accountable than in too many cases they are now.
- Strongly disagree with this approach (i.e., establishment of a fully autonomous Police Commission). Police are inclined to think they are an elite group already. In five years they would have the commission entirely won over and increase their budget by 100%.
- Based on our knowledge of other cities and conversations with city officials, we have found that police commissions rarely function to the best benefit of their communities. It is felt that most police commissions do not have the management expertise necessary for successful operation of a police department. In establishing a police commission, consideration should be given as to who the Police Chief reports to--the City Manager or the Commission. If the Commission is solely a policy-making body, what is its taxing authority? We realize that Police relations is a growing concern of many cities including our own; however, we feel that a police commission is not the ultimate solution, if it is a solution at all.

#### HISTORICAL BACKGROUND

The textbook LOCAL GOVERNMENT POLICE MANAGEMENT, published by the International City Managers' Association, provides some interesting historical background on the evolution of police organization and control in this country. The following relevant quotations are taken from a recent edition of that publication.

"The earliest police in this country were elected.\* As city governments became more common, control of the police power was often vested in city councils.

"As political abuse of police power became more widespread, there were two responses; one was creation of independent boards or commissions to direct the police and the other was state control of the policing mechanism. While some of these police boards still exist, their number has greatly declined, as the movement toward municipal reform has gathered momentum. (Underlining added for emphasis)

"State control of police was no more successful. From widespread use during the late nineteenth and early twentieth centuries in cities ranging from New York to Boston, only a

\* The City of Santa Clara, California still elects its Police Chief.

"limited number of such arrangements remain today-for example, in Kansas City, Missouri; St. Louis and Baltimore. Citizens have tended to resent outside control of local policing activities, especially during times of local concern over police operations and procedures.

"Municipal government reform resulted in major changes in police control during the early twentieth century. Initially, the movement has been toward the commission form of government, but this was soon replaced by mayor and council and council-manager forms. In both forms, the police chief was made directly responsible to the chief executive (mayor or city manager). (Underlining added for emphasis)

"The disorders and urban conflict of the 1960's placed new emphasis on police responsiveness to what were becoming legitimate community concerns, while the movement toward political insulation of the police made it difficult for the community to influence police actions and priorities. And, with conflict increasing, the police-community role became broader and more controversial.

"Police agencies moved to implement police-community relations programs, giving them a direct link to the community. While some of these programs were public relations activities, many of them concentrated on providing the opportunity for concerned citizens to have input into the police agency.

"In a number of cities community groups pressed for the establishment of formal mechanisms to provide influence over police procedures and conduct. In Rochester, New York, and New York City, for example, civilian boards were formed to review police conduct. In Berkeley, California, a proposal for community control of the police was placed on the ballot in 1971. None of these proposals was successful, but their existence indicated the seriousness with which community groups considered the need for a mechanism by means of which police policy and operations could be made more responsive to changing neighborhood concerns."

#### CONCLUSIONS AND RECOMMENDATION

The Public Safety Committee did not specifically request management to analyze the report of the Citizens' Committee on Police/Community Relations. However, in view of the significance of this proposal now pending before your committee, we felt that the Public Safety Committee should have available for evaluation a number of considerations not addressed in the report.

We recognize that the Citizens' Committee on Police/Community Relations was comprised of dedicated citizens who have an understandable desire to improve police/community relations. They are certainly to be commended for devoting considerable time and effort to exploring ways and means in which such relations can be improved. The following remarks are not intended as a criticism of the committee report. We feel very strongly that the City should always acknowledge constructive criticism from any source and, where warranted, initiate reasonable policy and/or procedural changes. On the other hand, we do not believe that the Public Safety Committee would be properly served if we refrained from providing the members with our candid reaction to certain elements of the report.

- (1) The primary recommendation for establishment of a fully autonomous police commission, independent of the City Council, is based on the committee's study of police/community relations. We would submit that this is an insufficient justification for a major change of organizational structure affecting administration of the Police Department. The report does not address other factors which should be evaluated before considering this drastic a change: administrative, operational and fiscal factors, as well as the relationship of the Police Department to other city departments, the chief executive and the legislative body under the Council-Manager form of government.

We realize that the resolution establishing the committee assigned it the limited objective of exploring the sole area of police/community relations; and that may have placed a restriction on the scope of the committee's study. It is conceivable, however, that a broader-based study could have led to a different organizational conclusion.

- (2) The recommendation for creation of a fully autonomous police commission is not adequately substantiated in the report. The word "substantiated" is used in its usual connotation of providing facts or concrete evidence to prove a premise or hypothesis. The report appears to rely more on subjective statements than on objective analysis in reaching its basic conclusion for establishment of an autonomous police commission.

A basic theme of the report is the unresponsiveness of the Police Department to the community it serves, with particular reference to the handling of citizen complaints involving the conduct of police officers. That thought, or some variation of it, appears repeatedly throughout the report, serving as the basic rationale for creation of a police commission. The committee states that, in some respects,

"the City of Long Beach has simply outgrown the existing structure of its police department". That is a subjective statement for which no factual evidence is offered.

- (3) The citizens' committee suggests that its "frustration" at the lack of time to deal completely with matters impacting upon police community relations "was a strong factor behind the recommendation for a permanent police commission".

We recognize that many times citizen committees and task forces experience a sense of frustration in dealing with complex governmental problems which they have been called upon to study. However, a sense of frustration is not necessarily a valid or sufficient reason for proposing a drastic change in the organizational structure of the Police Department. It is an emotional, not a rational argument.

- (4) The area of police/community relations is recognized as one of critical and key importance in the field of law enforcement throughout the country. Yet it should also be recognized that problems of police/community relations involve attitudes and behavior on the part of both the police and citizens. Attitudes and behavior can be altered over a period of time through proper motivation and training, without a change in the existing police organizational structure.

It is worthy to note that cities which have established police commissions are not immune from problems in the area of police/community relations, judging from headline stories which appear from time to time in the local press or weekly newsmagazines.

- (5) The proposal for establishment of a totally autonomous police commission would, in effect, create a separate and independent arm of government. It would have the power to negotiate and authorize contracts, including labor agreements; appoint and remove the Chief of Police; establish the police department budget, and appropriate funds required to finance that budget. In other words, this proposal would assign to an appointive body, over which the electorate would have no control, the responsibility for making decisions which could legally oblige the City and its citizens.

- (6) As a corollary to item no. (5), the creation of a totally autonomous police commission is completely at variance with State law and the City Charter. The City Council is the only body which has taxing powers and for that reason must exercise control over the budget. The City Council cannot divest itself of that responsibility, even if the electorate were to approve creation of a fully autonomous police commission. Consequently, the committee's proposal for creation of a fully autonomous police commission is impractical from administrative, legal and financial points of view.

- (7) The citizen committee proposal for establishment of a fully autonomous police commission is clearly inconsistent and incompatible with the Council-Manager form of government as it is structured in our existing City Charter. In fact, if the Charter were amended to authorize creation of such an autonomous police commission, it would constitute a weakening of the Council-Manager form of government which has served this City so well for nearly sixty years. Under the Council-Manager form of government, a City Council has the right to hold the City Manager accountable for all general governmental functions under his jurisdiction. There is no reason in theory or practice under the Council-Manager form of government to exclude the law enforcement function from the City Manager's control.

It should be borne in mind that the Blue Ribbon Charter Revision Committee unanimously endorsed retention of the Council-Manager form of government, as it now exists in the City Charter. The primary recommendation of the citizens committee on police/community relations for creation of an autonomous commission independent of the City Council or City Manager, is at variance with the position of the Blue Ribbon Committee, another distinguished advisory group.

- (8) A fully autonomous police commission, appointed by the Mayor and confirmed by the City Council, would not be accountable to the voters. The committee's proposal would remove one of the most vitally important of municipal services--police--from the control of the people's elected representatives, the City Council; and place it under the control of an appointive body beyond the reach of the electorate.

The City Council can fire a City Manager with whose services it is dissatisfied. The voters can similarly oust Council members at the next election or attempt to recall them. To the contrary, the voters cannot reject or recall an appointive commission. They would continue serving until their terms expire unless removed for "cause".

Though obviously not intended as such, the committee proposal constitutes what could be considered an elitist approach contrary to democratic principles and representative government. There is no demonstrated reason why greater trust should be placed in an appointed commission than in the people's own elected representatives. The City Council has done nothing to merit the lack of confidence which is inherent in the proposal for a fully autonomous commission.

- (9) The citizens committee has suggested that a Charter-mandated police commission would be "the voice of the people". The

proposed method of selection and appointment of members would make that a questionable proposition. The people would have no voice in the selection of the proposed police commission. The committee has proposed a most indirect system of appointment: The Mayor would appoint a nominating committee "which, in turn, would recommend the names of members of the police commission for confirmation by the City Council."

Without any intended disrespect to the incumbent or a future mayor, why should the Mayor, without Councilmanic confirmation, appoint a nominating committee for such a critical assignment? Moreover, why should such a "nominating committee", with no legal authorization or accountability to the City Council or electorate, be granted this important responsibility? It would appear that the "voice of the people" under such a selection system would be extremely weak, if not inaudible.

- (10) The City Council, through its City Manager, is the only body which under State law, can negotiate with employee unions or associations and reach memoranda of understanding. There is no way the City Council could delegate that responsibility to a fully autonomous police commission, unless State law were to be changed. The committee was probably unaware of that circumstance, in making its recommendation for creation of a fully autonomous police commission.
- (11) The citizens committee appears to have rejected the alternative of an advisory police committee, presumably on the advice of undisclosed members of other advisory bodies who are reported to have said: "unless the proposed police commission has the power to act, don't waste your time".

Based on the foregoing quote, it appears that the committee's rejection of the advisory committee concept as a possible alternative may have been made on the basis of subjective opinion. The foregoing statement implies that all advisory or ad hoc bodies are a "waste of time", a most unfair assessment. The accomplishments of the Seadip Committee, the Local Coastal Planning Committee, the Blue Ribbon Charter Revision Committee, the Convention Center Task Force, the Airport Task Force, as well as the contributions of other permanent advisory bodies, makes it abundantly clear that the work of an advisory or ad hoc group need not be a "waste of time".

- (12) The proposal of the citizens' committee for creation of a fully autonomous police commission would give such a commission an even greater degree of autonomy than the existing Board of Harbor Commissioners. There are valid arguments that can be made for providing proprietary operations such as the Board of Harbor Commissioners and the Board of Water Commissioners with semi-autonomous powers, particularly since they generate their own revenues and are not dependent upon taxes; the same arguments do not apply to general governmental operations of municipal departments.

- (13) Members of the citizens' committee have observed that several large American cities have functioning police commissions. That is a factual statement; however, larger cities such as San Francisco, Los Angeles, Detroit and Saint Louis, which have autonomous police commissions, do not operate under the Council-Manager form of government as it is set forth in our existing Charter. Consequently, the validity of a comparison between Long Beach and those larger cities, which operate under the strong Mayor form of government, is somewhat questionable.
- (14) The data received by our office from other cities in response to our questionnaire was informational and interesting. However, the findings in no way support the concept of a fully autonomous police commission. The fact that 15% of the responding cities utilize a police commission as a form of their organizational structure is not indicative of a prevailing trend in that direction, particularly since only four cities have established police commissions in the past ten years. Moreover, even in the nineteen cities that report having police commissions, the authority of the commissions is somewhat circumscribed in that the City Council is generally the body which has final budgetary approval over the financing of police operations.
- (15) The citizens' committee concluded that the City Council in a city as large as Long Beach cannot be "intimately aware" of the policies and procedures of every department; and cited that as another reason for creating an autonomous police commission.

Under the Council-Manager form of government, the City Council, as the policy-making body, should have a broad understanding of departmental policies; however, it should not have to be "intimately aware" of the practices and procedures of every department. That is the job of the City Manager. Even the boards of directors of private corporations generally do not involve themselves in detailed procedural matters, a responsibility which they generally delegate to executive staff.

The committee assumption that the City Council is unable to fulfill its policy making responsibilities with respect to the police department, thereby necessitating, in the committee's opinion, the creation of an autonomous police commission, is unwarranted. The assumption may be based on a lack of knowledge about the workings of the City Council, and the degree of its involvement in the formulation and implementation of policy.

- (16) We agree with the conclusion of the sub-committee on education that a "long-range educational program" is needed to create a more positive relationship between the police and citizens.

- (17) The citizens' committee has made a number of constructive suggestions for improving police/community relations. These suggestions merit careful consideration by the Chief of Police and his command staff.

There is a need for improvement of police operations and procedures in such areas as the following: more broad-scale recruitment; improved education and training; more clearly defined goals and objectives; and greater emphasis upon performance evaluation and tighter disciplinary procedures. The Chief of Police is currently in the process of implementing positive action in all of these areas.

- (18) Spokespersons for creation of an autonomous police commission have implied in public statements that a "crisis" exists in police/community relations, mandating this proposed organizational change.

The proponents of a police commission may sincerely perceive a situation which they regard as a crisis. The crisis, if one wants to utilize that term, is not confined to Long Beach, but is a topic of concern in other cities and at State/Federal levels of government. It revolves around the question of what role police officers are to play in our increasingly complex society--the social as well as the operational aspect of law enforcement.

- (19) In our opinion, the citizens' committee itself has highlighted a most significant factor in law enforcement. We refer to the following statement which appears on page 81 of the report:

"The police are thus placed in a conflicting role which requires them to 'command' a situation while, at the same time, serving a society which has become increasingly hostile to authority."

This extremely perceptive observation touches at the very heart of problems of police/community relations. The "conflicting role" of the police officer will continue, whether the Police Department is controlled by the City Council or an autonomous police commission. It is a problem which will not vanish simply by placing a group of appointed citizens in charge of the Police Department. While every effort must continue to be made to minimize police/community conflicts, it does not require a change of organizational structure to accomplish that goal in Long Beach.

The basic question remains: what is the most effective means for resolving conflicts between society and those who police that society?

We are convinced that the solution to this question which everyone agrees must be found, will take the whole-hearted cooperation of every police officer from the Chief to the newest recruit; every member of the City Council; the City Manager and his staff; concerned groups such as the citizens' committee on police/community relations; and all the citizens of Long Beach. It won't be easy to accomplish; and it won't be done overnight. But, with effort and good will, it can be done.

- (20) The new Chief of Police and his management team are now in the process of developing comprehensive programs to improve the efficiency and effectiveness of our City's Police Department; and to make it more responsive to the citizenry. We are confident that the Chief, his command staff and the entire police force, working together as a unified team, can meet the challenges facing police departments in our society. The improvements which the Chief of Police is now making will certainly be reflected in the important area of police/community relations. A police commission is not needed to accomplish our goals and objectives for an effective police department; we are convinced that, in Long Beach at least, it would be a hindrance rather than a help in the achievement of these goals.

It is recommended that the Public Safety Committee recommend to the City Council that it not give favorable consideration to the establishment of a fully autonomous police commission, as recommended by the Citizens' Committee on Police/Community Relations.

Respectfully submitted,

*Robert C. Creighton*

ROBERT C. CREIGHTON  
Assistant City Manager

APPROVED:

*J. E. Dever*  
JOHN E. DEVER, CITY MANAGER

RCC:jb

Attachments

cc: Mr. Norbert Dean, Chairman  
Citizens' Committee on Police/Community Relations



# **EXHIBIT A**

List of Cities Responding  
to Questionnaire.



**CITIES OVER 100,000 POPULATION  
RESPONDING TO**

**POLICE COMMISSION SURVEY**

**ALABAMA**

Birmingham  
Mobile  
Montgomery

**ALASKA**

Anchorage

**ARIZONA**

Phoenix  
Tucson

**ARKANSAS**

Little Rock

**CALIFORNIA**

Anaheim  
Berkeley\*  
Fremont  
Fresno  
Garden Grove  
Glendale  
Huntington Beach  
Los Angeles  
Oakland  
Pasadena  
Riverside  
Sacramento  
San Bernardino  
San Francisco  
San Jose  
Santa Ana  
Stockton  
Sunnyvale  
Torrance

**COLORADO**

Aurora  
Colorado Springs  
Denver  
Pueblo

**CONNECTICUT**

Stamford  
Waterbury

**DISTRICT OF COLUMBIA**

Washington D.C.

**FLORIDA**

Fort Lauderdale  
Hialeah  
Hollywood  
Jacksonville  
Orlando  
St. Petersburg  
Tampa

**GEORGIA**

Columbus  
Macon  
Savannah

**HAWAII**

Honolulu

**IDAHO**

Boise City

**ILLINOIS**

Chicago  
Peoria

**INDIANA**

Evansville  
Gary  
Indianapolis  
South Bend

**IOWA**

Cedar Rapids  
Davenport  
Des Moines

**KANSAS**

Wichita

**KENTUCKY**

Lexington-Fayette  
Louisville

**LOUISIANA**

New Orleans

**MARYLAND**

Baltimore

**MASSACHUSETTS**

Boston  
Cambridge  
New Bedford  
Springfield  
Worcester

**MICHIGAN**

Ann Arbor  
Detroit  
Flint  
Grand Rapids  
Lansing  
Livonia  
Warren

**MINNESOTA**

St. Paul

\* Anticipated response from Berkeley not received in time for inclusion in survey findings.

CITIES OVER 100,000 POPULATION  
RESPONDING TO POLICE COMMISSION SURVEY

Exhibit A      Page 2

MISSOURI

Independence  
Kansas City  
St. Louis  
Springfield

NEBRASKA

Omaha

NEVADA

Las Vegas

NEW JERSEY

Newark  
Paterson  
Trenton

NEW YORK

New York  
Rochester  
Syracuse

NORTH CAROLINA

Charlotte  
Durham  
Greensboro  
Raleigh  
Winston-Salem

OHIO

Canton  
Cincinnati  
Dayton

OKLAHOMA

Oklahoma City  
Tulsa

OREGON

Portland

PENNSYLVANIA

Allentown  
Philadelphia  
Pittsburgh

SOUTH CAROLINA

Columbia

TENNESSEE

Chattanooga  
Knoxville  
Memphis  
Nashville-Davidson

TEXAS

Amarillo  
Arlington  
Austin  
Dallas  
El Paso  
Fort Worth  
Garland  
Lubbock  
San Antonio

UTAH

Salt Lake City

VIRGINIA

Alexandria  
Arlington  
Chesapeake  
Hampton  
Newport News  
Norfolk  
Portsmouth  
Richmond  
Roanoke  
Virginia Beach

WASHINGTON

Seattle  
Spokane  
Tacoma

WISCONSIN

Milwaukee

# **EXHIBIT B**

Questionnaire



OFFICE OF THE CITY MANAGER  
 City of Long Beach, California  
 333 West Ocean Boulevard  
 Long Beach, California 90802  
 (213) 590-6711

Response from the City of

- (1) Does your City have a Police Commission as a part of its organizational structure?  Yes  No
- (2) If your answer to question no. (1) is in the negative, please answer this question and ignore the balance of the questionnaire.

Has your City considered the establishment of a Police Commission at some past date?  Yes  No

If you considered creation of a Police Commission, but did not implement such a proposal, would you please attach a brief statement indicating why favorable action was not taken.

- (3) If yes to question no. (1), which of the following categories more properly describes your Police Commission?
- Autonomous Commission (i.e., administers Police department operations independently of City Council).
- Semi-autonomous (i.e., administers Police department operations, subject to overall control of City Council).
- Advisory
- Other (please describe)

- (4) How was your Police Commission legally established?

- Provided for in City Charter.
- By vote of the people at an election.
- Legislative action on part of City Council.
- Other (please describe)

- (5) In what year was your Police Commission established? \_\_\_\_\_

Has your Police Commission been in continuous existence since that date?  Yes  No

- (6) What is the size of your Police Commission? \_\_\_\_\_ Members

- (7) How are members of the Police Commission selected?

- |  |  |
|--|--|
| <input type="checkbox"/> Elected by voters         | <input type="checkbox"/> Appointed by Mayor      |
| <input type="checkbox"/> Appointed by City Manager | <input type="checkbox"/> Other (please describe) |

NOTE: If appointed by Mayor or City Manager, are appointments subject to City Council confirmation?

Yes  No

- (8) Do you make a conscious effort to achieve balanced representation on Police Commission (geographic, racial or ethnic, sex)?

Yes       No

- (9) Are the members of your Police Commission compensated for their services?  Yes       No

If yes to this question, what is the amount or type of such compensation? \_\_\_\_\_

- (10) Does your Police Commission have regularly scheduled meetings?

Yes       No       On call of Chairperson  
 Other (please describe)

- (11) How is your Police Chief appointed?

Elected by vote of the people  
 Appointed by Mayor  
 Appointed by City Manager  
 Appointed by Police Commission  
 Other (please describe)

If Police Chief appointed, does his appointment require City Council confirmation?  Yes       No

- (12) What body in your City exercises control over the Police Department budget?

City Council       Police Commission       Other (please describe)

- (13) What body in your City exercises control over Police Department operations?

City Council       Police Commission       Other (please describe)

- (14) Can decisions of the Police Commission be over-ruled by the City Council?  Yes       No

- (15) Who does the Chief of Police report to administratively?

Police Commission       Mayor       City Council  
 City Manager       Electorate       Other (please describe)

- (16) Who negotiates labor agreements with Police Officers' union or association?

Agent of Mayor       Agent of City Manager  
 Agent of Police Commission       Other (please describe)

- 3 -

- (17) Does your Police Commission act as an appeals body for citizen complaints against the Police Department or any of its officers, arising from incidents where allegations of excessive force or improper conduct have been filed?  Yes  No
- (18) Would you please make a brief statement, as perceived from an administrative point of view, as to how effective your Police Commission has been in carrying out its assigned functions; whether, in your opinion, it has achieved the goals and purposes originally envisioned for it; and whether it has been an effective force for achieving improved police/community relations and/or efficient and effective police operations. We would appreciate receiving your objective evaluation on the effectiveness of your Police Commission, whether such an appraisal is positive, negative, or a little bit of both.
- 
- 
- 
- 
- 

Please include any other information which you feel may be relevant or useful for purposes of our survey, if the supplemental material does not seem to be covered by the questions in this form.

Again, thank you for your cooperation.

Please return the completed questionnaire in the enclosed, self-addressed envelope, marked to the attention of Robert C. Creighton, Assistant City Manager, City Hall, 333 West Ocean Boulevard, Long Beach, California 90802.

---

(signature)

---

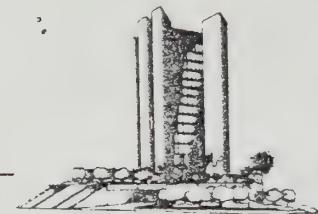
(title)



# **EXHIBIT C**

Transmittal Letter





## CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (213) 590-6711

The Public Safety Committee of our City Council is presently studying a report submitted by a Citizens' Advisory Committee on Police/Community Relations. The report recommends the establishment of a fully autonomous Police Commission, an executive-type body independent of the City Council which would have exclusive control over the Police Department. The citizens' committee based its recommendation for creation of an autonomous Police Commission on its study of police/community relations, since the committee's purpose was to formulate a plan which would promote greater trust and cooperation between citizens and law enforcement personnel. Consequently, the committee's conclusions did not take into account administrative, operational and/or fiscal considerations which were beyond the scope of the committee's mission.

The Chairman of our Public Safety Committee requested our office to provide the members of his committee with more definitive information on Police Commissions which have been created in other cities: how they have been legally established and organized; how they function; and how effective they have been as the governing bodies for police departments. Accordingly, we have prepared a questionnaire for that purpose.

We would therefore greatly appreciate your providing us with pertinent information concerning your City's Police Commission, if you have one. The specific information requested is contained in the attached questionnaire; also enclosed is a stamped, self-addressed envelope for your convenience.

May we also request that, in addition to answering the questionnaire, you provide us with relevant information on the role of your Police Commission in the areas listed below:

- 2 -

- The handling of strikes or other job actions.
- The handling of Police/Community Relations problems.
- Relations with the Chief Executive.
- Relations with the City Council.
- Relations with the Minority Community.
- Relations with Employee Unions or Associations.
- Relations with the Press.

If your City does not presently have a Police Commission but may have had one in the past, we would also appreciate receiving any comments you might care to make concerning the reasons for a change of organizational structure.

We would appreciate receiving your response to this inquiry by July 15, 1980, if at all possible.

Please accept our thanks in advance for your cooperation in complying with this request.

Very truly yours,

JOHN E. DEVER, CITY MANAGER

BY *Robert C. Creighton*

ROBERT C. CREIGHTON  
Assistant City Manager

JED:RCC:jb

## **EXHIBIT D**

Tabulation of Responses of  
Municipalities which have  
Established Police Commissions



Municipalities Which Have Established Police Commissions

STATE AND CITY	Type of Police Commission	How was commission legally established	Year commission established	Number of Members	How are Members Appointed	Effort to Achieve Balanced Reps.	Are members compensated for service	Are Regular Meetings held	Police Chief Appointed by	Must Council Confirm Police Chief Appt.	What Body controls Budget	Who/Which Body exercises operational control	Can Decisions of commission be overruled by Council	Who does Police Chief report to	Who negotiates labor agreements	Does commission act as appeals body for citizen complaints
<u>CALIFORNIA</u>																
(1) Berkeley *																
(2) Los Angeles	Semi-autonomous	Charter	1925	5	Mayor(a)	Yes	\$10/meeting	Yes	Police Commission	No	Council	Police Commission	No	Police Commis.	(e)	Yes
(3) San Bernardino	Advisory	Council	1963	9	Mayor & (a) Council	Yes	No	Yes	Mayor(a)	Yes	Council	Mayor	Yes	Mayor and City Administrator	City Administra-tor	Yes
(4) San Francisco	Autonomous	Charter	Pre-1900	5	Mayor(b)	Yes	\$100/month	Yes	Police Commission	No	Council	Police Commission	No	Police Commis.	Board of Supervisors	Yes
<u>CONNECTICUT</u>																
(5) Stamford	Semi-autonomous (c)	Charter	1968	5	Mayor (b)	Yes	No	Yes	Mayor	Yes	Council Finance Bd.	Police Commission	No	Police Commis.	Mayor(f)	Yes
(6) Waterbury	Semi-autonomous	Charter	1931	5	Mayor (b)	No	No	Yes	Mayor	No	Council	Police Commission	Not Answered	Mayor and Police Commission	Mayor	Yes
<u>HAWAII</u>																
(7) Honolulu	Advisory(d)	Charter	1932	7	Mayor (a)	Yes	No	Yes	Police Commission	Yes	Council	Chief of Police(g) Police Commission	No	Mayor	Mayor	Yes
<u>ILLINOIS</u>																
(8) Chicago	Autonomous	Council	1960	9	Mayor(a)	Yes	No	Yes	Mayor	Yes	Council	Police Commission	No	Mayor	(h)	Yes

\* Anticipated response from Berkeley not received in time for inclusion in survey findings.

(a) Subject to confirmation of City Council.

(b) Not subject to confirmation of City Council.

(c) Operates independently, except for budgetary control by Mayor and Council, and Finance Board.

(d) Listed as advisory with notation that Commission investigates citizen complaints; and can hire and fire the Police Chief.

(e) Chief Administrative Officer on behalf of City Council.

(f) City Labor Negotiator on behalf of Mayor.

(g) Advisory on part of Police Commission.

(h) City ordinance addressing issue now under consideration.



Municipalities Which Have Established Police Commissions

STATE AND CITY	Type of Police Commission	How was commission legally established	Year commission established	Number of Members	How are Members Appointed	Effort to Achieve Balanced Reps.	Are members compensated for service	Are Regular Meetings held	Police Chief Appointed by	Must Council Confirm Police Chief Appt.	What Body controls Budget	Who/Which Body exercises operational control	Can Decisions of commission be overruled by Council	Who does Police Chief report to	Who negotiates labor agreements	Does commission act as appeals body for citizen complaints
<u>INDIANA</u>																
(9) Evansville(a)	Autonomous	State Law	1952	3	Mayor & Council	Yes	\$1,000 annual	Yes	Mayor	No	Council	Police Commission	No	Mayor & Police Commission	Mayor	Yes
(10) Gary(a)	Autonomous	State Law	1937	5	Mayor	Yes	\$200 annual	Yes	Mayor	No	Council	Police Commission	No	Mayor	Mayor	Yes
(11) Indianapolis(a)	Semi-Autonomous	State Law	1970	5(b)	Director of Public Safety(f)	Yes	\$600 annual	Yes	Director of Public Safety	No	Council	Police Commission(g)	Yes & No	Director of Public Safety	Mayor(g)	Yes
(12) South Bend(a)	Autonomous	State Law	1935	3	Mayor(c)	Yes	\$1,200 annual	Yes	Mayor(h)	No	Council	Board of Public Safety	No	Board of Public Safety	(i)	Yes
<u>MASSACHUSETTS</u>																
(13) Springfield	Autonomous	Action of Council	1922	5	Mayor(c)	Yes	No	Yes	Police Commission	No	Council	Police Commission	No	Police Commis.	Mayor	Yes
<u>MICHIGAN</u>																
(14) Detroit	Autonomous	Charter	1974	5	Mayor(d)	Yes	Yes(e)	Yes	Mayor(d)	Yes	Police Commission	Police Chief(j)	No(k)	Mayor	Agent of Mayor	Yes
<u>MISSOURI</u>																
(15) Independence	Advisory	Council	1980(f)	9	Council	Yes	No	Yes	City Manager	Yes	Council	Council	Yes	City Manager	not applicable(l)	Yes

(a) State-mandated Board of Public Safety which has similar functions to a Police Commission.

(b) Plus Police Chief as Ex Officio Member.

(c) Not subject to Confirmation by Council.

(d) Subject to Confirmation of Council.

(e) \$3,000 annually; \$4,500 for Chairman.

(f) The body, formerly called the Police Advisory Board was renamed the Criminal Justice Advisory Board in 1980.

(g) And Director of Public Safety.

(h) Appointment subject to approval of Board of Public Safety.

(i) City Council negotiates wages; Board of Public Safety, fringe benefits.

(j) Police Commission has control over policy.

(k) Not by City Council; but by Mayor.

(l) State Law does not provide for negotiation of labor agreements with police unions.



## Municipalities Which Have Established Police Commissions

STATE AND CITY	TYPE OF POLICE COMMISSION	HOW WAS COMMISSION LEGALLY ESTABLISHED	YEAR COMMISSION ESTABLISHED	NUMBER OF MEMBERS	HOW ARE MEMBERS APPOINTED	EFFORT TO ACHIEVE BALANCED REPS.	ARE MEMBERS COMPENSATED FOR SERVICE	ARE REGULAR MEETINGS HELD	POLICE CHIEF APPOINTED BY	MUST COUNCIL CONFIRM POLICE CHIEF APPT.	WHAT BODY CONTROLS BUDGET	WHO/WHICH BODY EXERCISES OPERATIONAL CONTROL	CAN DECISIONS OF COMMISSION BE OVERRULLED BY COUNCIL	WHO DOES POLICE CHIEF REPORT TO	WHO NEGOTIATES LABOR AGREEMENTS	DOES COMMISSION ACT AS APPEALS BODY FOR CITIZEN COMPLAINTS
<u>MISSOURI</u> (cont.)																
(16) Kansas City	Autonomous	State Law	1939	5	Governor	Yes	\$200/month	Yes	Police Commission	No	Council	Police Commission	No	Police Commis.	Not Applicable <sup>(d)</sup>	No
(17) Saint Louis	Autonomous	State Law	1860's	5	Governor	not answered	\$1,000/year + auto allowance	Yes	Police Commission	No	Police Comm.	Police Commission	No	Police Commis.	Police Commis.	Yes
<u>NEVADA</u>																
(18) Las Vegas	Semi-autonomous	State Law & Council	1973	7	Mayor <sup>(a)</sup>	Yes	No	Yes <sup>(b)</sup>	Elected by Vote of the People	No	Council & Police Comm.	Police Commission	Yes	Electorate	(e)	No
<u>TEXAS</u>																
(19) Lubbock	(c)	Vote of People	1959	3	Council	Yes	No	Yes: on call	City Manager	Yes	Council	City Manager	No	City Manager	Not Answered	No
<u>WISCONSIN</u>																
(20) Milwaukee	Autonomous	State Law	1885	5	Mayor <sup>(h)</sup>	Yes	\$2,400 annual	Yes	Police Commission	No	Mayor/Council	Police Chief	No	(f)	(g)	Yes

(a) Not subject to Council confirmation.

(b) Monthly

(c) Reply would indicate that commission is a fire/police/civil service commission.

(d) State law does not provide for negotiations of labor agreements with police unions.

(e) City Manager, Police Commission, and County staff representatives.

(f) To Mayor/City Council/Police Commission, depending on functional area.

(g) Agent of Council.

(h) Subject to Confirmation of City Council

81 02030

U.C. BERKELEY LIBRARIES



C123308273

INSTITUTE OF GOVERNMENTAL  
STUDIES LIBRARY

AUG - 5 2024

UNIVERSITY OF CALIFORNIA